

HE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit: 3732 Applicant: M. Samy Abdou Serial No.: 10/825,916 Examiner: Unknown : April 15, 2004 Filed Conf. No.: 8930

: BONE FIXATION SYSTEM AND METHOD OF IMPLANTATION Title

Mail Stop Amendment

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Dear Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement (2 page), Form PTO-1449 (1 page) and a return postcard for filing in connection with the aboveidentified application. Because this Information Disclosure Statement is filed prior to receipt of a first office action on the merits in the above-referenced application, no fee is due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 06-1050, as stated below:

 \boxtimes The Commissioner is hereby authorized to charge any fees that may be due in connection with this paper or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,

| Date: | November 18, 2005 | | |
|-------|-------------------|-------------------|--|
| | | Fred C. Hernandez | |
| | | Reg. No. 41,832 | |

PTO Customer No.: 20985 Fish & Richardson P.C. 12390 El Camino Real San Diego, California 92130 Telephone: (858) 678-5625

Facsimile: (858) 678-5099 email: fhernandez@fr.com

> CERTIFICATE OF MAILING BY FIRST CLASS MAIL I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

| | November 18, 2005 |
|-----------------|-------------------|
| Date of Deposit | Dry 302. |
| Signature | |
| | Karla Zavala |





HE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: M. Samy Abdou

Serial No.: 10/825,916

Filed: April 15, 2004

Art Unit: 3732

Examiner: Unknown

Conf. No.: 8930

Cust. No. : 20985

Title : BONE FIXATION SYSTEM AND METHOD OF IMPLANTATION

MAILSTOP: AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98

Because this Supplemental Information Disclosure Statement is filed before the receipt of a First Office Action on the Merits for the above-captioned application, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 06-1050.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all information known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Forms PTO-1449 (1 page) is provided herewith.

The documents cited on the Forms PTO-1449 are in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Applicant also makes known to the Examiner the following pending U.S., International and National Phase Applications that have one or more common inventors and/or are commonly owned:

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

| | November 18, 2005 | |
|-----------------|-------------------|--|
| Date of Deposit | Wy. 72. | |
| Signature | 1 40 | |
| | Karia Zavala | |

Applicant: M. Samy Abdou
Serial No.: 10/825,916
Attorney's Docket No.: 17348-002001
Supplemental Information Disclosure Statement

Filed : April 15, 2004

Page : 2 of 2

| U.S.S.N.(App. No.) | Filing Date | Docket No. | Publication No. |
|--------------------|-------------|--------------|-----------------|
| 10/683,325 | 10/10/03 | n/a | 2004-0133207 |
| 10/755,080 | 01/10/04 | n/a | 2004-0204713 |
| 11/025,659 | 12/28/04 | 17348-006001 | n/a |
| 60/659,675 | 03/07/05 | 17348-009P01 | n/a |
| 11/121,383 | 05/03/05 | 17348-007001 | n/a |
| 11/153,258 | 06/14/05 | 17348-009001 | n/a |
| 11/211,160 | 08/23/05 | 17348-011001 | n/a |
| 11/245,466 | 10/05/05 | 17348-012001 | n/a |
| Int'l Appln. No. | Filing Date | Docket No. | Publication No. |
| PCT/US03/0032456 | 10/14/03 | n/a | WO 04/032726 |
| PCT/US04/0000567 | 01/10/04 | n/a | WO 04/062482 |
| PCT/US04/0012011 | 04/15/04 | 17348-002WO1 | WO 04/093702 |
| PCT/US05/0021040 | 06/14/05 | 17348-009WO1 | n/a |

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and they be made of record in the file history of the above-captioned application.

Respectfully submitted,

Date: November 18, 2005

Fred C. Hernandez Reg. No. 41,832

Fish & Richardson P.C. 12390 El Camino Real San Diego, California 92130 Telephone: (858) 678-5070

Facsimile: (858) 678-5099 email: fhernandez@fr.com

10571984.doc

| Substitute Form PTO-1449 (Modified) | U.S. Department of Commerce Patent and Trademark Office | Attorney's Docket No. 17348-002001 | Application No. 10/825,916 |
|-------------------------------------|--|------------------------------------|----------------------------|
| | closure Statement | Applicant M. Samy Abdou | |
| (Use several s (37 CFR §1.98(b)) | pplicant heets if necess and NOV 2/12005 | Filing Date April 15, 2004 | Group Art Unit 3732 |
| | A. | | |

| | | | COS A Bater | nt Documents | | | |
|---------------------|--------------|--------------------|---------------------|----------------|-------|----------|----------------------------|
| Examiner Initial | Desig. ID | Document Number | Publication Date | Patentee | Class | Subclass | Filing Date If Appropriate |
| | AA | 5,147,360 | 9/15/92 | Dubousset | | | |
| | AB | 5,152,303 | 10/6/92 | Allen | | , | |
| | AC | 5,261,911 | 11/16/93 | Carl | | | |
| | AD | 5,380,324 | 1/10/95 | Muller et al. | | | |
| | AE | 5,603,714 | 2/18/97 | Kaneda et al. | | | |
| | AF | 5,662,652 | 9/2/97 | Schafer et al. | | | |
| | AG | 5,683,391 | 11/4/97 | Boyd | | | |
| | АН | 6,214,005 | 4/10/01 | Benzel et al. | | | |
| | Al | 2001/0047172 | 11/29/01 | Foley et al. | | | |
| | AJ | 2002/0099386 | 7/25/02 | Beger et al. | | | |

| Foreign Patent Documents or Published Foreign Patent Applications | | | | | | | | |
|---|--------|----------|-------------|---------------|-------|----------|-------|--------|
| Examiner | Desig. | Document | Publication | Country or | | | Trans | lation |
| Initial | ID | Number | Date | Patent Office | Class | Subclass | Yes | No |
| | | none | | | | | | |

| | Other D | ocuments (include Author, Title, Date, and Place of Publication) |
|---------------------|--------------|--|
| Examiner Initial | Desig. ID | Document |
| | | none |

Date Considered